

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

BRIGHT RESPONSE LLC

VS.

GOOGLE, INC., ET AL.

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CASE NO. 2:07-CV-371(CE)

**Jury Trial Day Four Minutes
August 5, 2010**

OPEN: 8:36 a.m.

ADJOURN: 6:51 p.m.

ATTORNEYS FOR PLAINTIFF:

Andrew Spangler
Marc Fenster
David Pridham
Alex Giza
John Hueston

ATTORNEYS FOR DEFENDANTS:

Charles Verhoeven
Amy Candido
David Perlson
William Rooklidge
Jason White
Brian Smith

LAW CLERK:

Jim Warriner
Eric Hansen

COURT REPORTER:

Judy Werlinger, CSR

COURTROOM DEPUTY:

Jan Lockhart

8:36 a.m. Court opened. Mr. Verhoeven conducted cross examination of Dr. Becker.

9:01 a.m. Mr. Rooklidge conducted further cross examination of Dr. Becker.

9:38 a.m. Mr. Houston conducted re-direct examination of Dr. Becker.

10:11 a.m. Morning recess. Jury excused.

10:32 a.m. Mr. Verhoeven conducted re-cross examination of Dr. Becker.

10:38 a.m. Video depositions shown by Plaintiff of Witness Yeh and Croxall.

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10:44 a.m. Video depositions shown by Defendant of Witness Yeh and Croxall.

10:49 a.m. Mr. Houston called Mr. Sheafe to testify. Mr. Sheafe was previously sworn.

11:18 a.m. Ms. Doan conducted cross examination of Mr. Sheafe.

11:59 a.m. Jury excused for lunch break.

12:00 p.m. Hearing outside the presence of the jury regarding violations of court rulings on motions in limine.

12:03 p.m. Lunch recess until 1:10 p.m.

1:01 p.m. Hearing outside the presence of the jury regarding court's ruling on violations on motions in limine.

1:09 p.m. Court break

1:15 p.m. Jury returned to courtroom.

1:16 p.m. Mr. Houston conducted re-direct examination of Mr. Sheafe.

1:17 p.m. The parties passed the witness. The Plaintiff

1:18 p.m. Mr. Verhoeven called Jeff Huber to testify. Mr. Huber was sworn and examined under oath.

1:52 p.m. Mr. Fenster conducted cross examination of Mr. Huber.

2:02 p.m. The parties passed the witness. Next, Mr. Perlson called Bartholomew Furrow to testify. Mr. Furrow was sworn and examined under oath.

2:32 p.m. Mr. Fenster conducted cross examination of Mr. Furrow.

2:48 p.m. Mr. Perlson conducted re-direct examination of Mr. Furrow.

2:52 p.m. Mr. Fenster stated he had no further questions.

2:53 p.m. Mr. Perlson called Ed Fox to testify. Mr. Fox was previously sworn and was examined under oath.

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3:02 p.m. Jury excused until 3:25 p.m.

3:03 p.m. Hearing outside the presence of the jury. Court admitted exhibits pertaining to Williams documents and gave instructions with respect to their use.

3:06 p.m. Court recess.

3:30 p.m. Mr. Perlson continued his direct examination of Dr. Fox.

3:57 p.m. Bench conference

3:59 p.m. Mr. Perlson continued his examination of Dr. Fox.

4:25 p.m. Mr. Perlson passed the witness.

4:26 p.m. Mr. Fenster conducted cross examination of Dr. Fox.

4:30 p.m. Bench conference.

4:33 p.m. Mr. Fenster continued cross examination of Dr. Fox.

4:34 p.m. Bench conference.

4:36 p.m. Jury excused. Hearing outside the presence of the jury regarding electronic message.

4:47 p.m. Jury returned to courtroom. Mr. Fenster continued his examination of Dr. Fox.

5:10 p.m. Ms. Doan called Keith Nielson to testify. Mr. Nielson was previously sworn and was examined under oath.

5:29 p.m. Ms. Doan passed the witness.

5:30 p.m. The Court gave the jury instructions regarding deliberations. The jury left the courtroom.

5:32 p.m. The Court heard Judgments as a Matter of Law (JMOL). Mr. Perlson argued on behalf of Google. The Court responded.

5:49 p.m. Ms. Candido presented JMOL on behalf of Google as to damages. The Court responded.

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6:00 p.m. Mr. White presented JMOL on behalf of Yahoo!. The Court responded.

6:50 p.m. Court adjourned.